

RESOLUTION NO. R2024-02

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING VARIANCES TO THE CODE OF ORDINANCES, SECTION 98-48 – BLOCKS FOR THE PROPOSED PRELIMINARY PLAT OF THE RANCHES AT DELAWARE CREEK, PHASE 5 SUBDIVISION

Whereas, Code of Ordinances, Section 98-48, imposes lengths for residential blocks within the Subdivision; and

Whereas, the applicant has petitioned for a variance to the Code of Ordinances; and

Whereas, the Planning and Zoning Commission has recommended the variance be granted:

NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:

Section one. Recitals. That the recitals to this Resolution are incorporated herein for all purposes.

Section two. Findings. As required by City Code Sec. 98-82 City Council finds:

- Granting the variance is not contrary to the public interest: **approving the variance allows the property to be developed in the most advantageous way to the existing surrounding developments and is not contrary to the public interest.**
- The literal enforcement of this chapter would result in unnecessary hardship: **due to the existing surrounding developments and the long configuration of the property, the literal enforcement would result in unnecessary hardship.**
- The variance observes the spirit of the ordinance and concludes that substantial justice is done: **staff has determined that all other requirements of the code are adhered to and therefore, the spirit of the ordinance is observed and substantial justice is done.**


Section three. Approval. The variance request is hereby approved and granted.

Section four. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

Section five. Effective Date. That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.


PASSED AND APPROVED this the 9th day of January 2024.

CITY OF BURNET, TEXAS



Gary Wideman, Mayor

ATTEST:



Kelly Dix, City Secretary

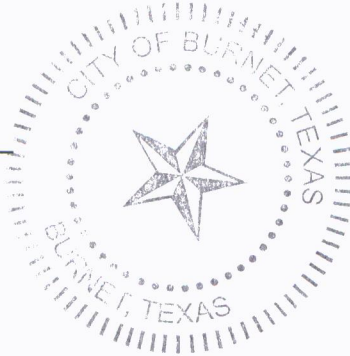


Exhibit "A" Plat Page 1

COVER

PHASE 5

THE RANCH AT DELAWARE CREEK

PRELIMINARY PLAT

1 of 13

THE RANCH AT DELAWARE CREEK

PHASE 5

BURNET COUNTY, TX

NOVEMBER 2023

PROJECT LOCATION

Sheet List Table

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3	PRELIMINARY PLAT (002)
4	AS-BUILT GRADE SHEET
5	PROPOSED RANGLAND AREA MAP
6	OVERALL WATER QUALITY PLAN
7	OVERALL WASTEPLAN
8	OVERALL WASTEPLAN
9	OVERALL SITE PLAN
10	PAVING PLAN
11	EROSION & SEDIMENTATION CONTROL PLAN
12	TREE PRESERVATION PLAN (001)
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Plat Page 2

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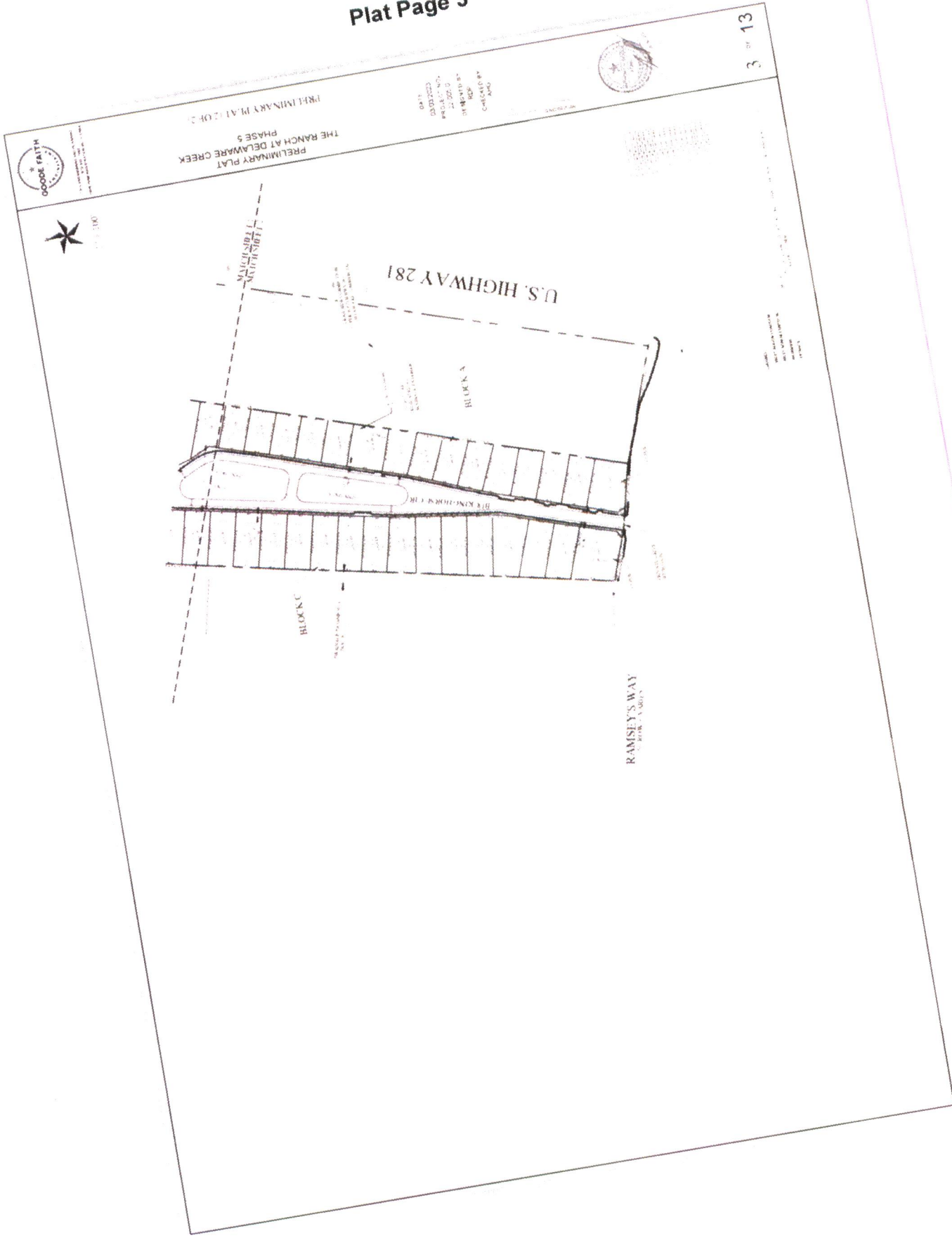
PRELIMINARY PLAT OF
THE RANCH AT DELAWARE CREEK
PHASE 5

DATE: 03/03/2023
PROJECT NO.: 22-000-0
DRAWN BY: [Name]
CHECKED BY: [Name]



NOT TO SCALE
FOR INFORMATION ONLY
SEE PLAT FOR DETAILS

Plat Page 3



100'

PRELIMINARY PLAT
THE RANCH AT DELAWARE CREEK
PHASE 5

DATE: 03/20/2023
PROJECT NO: 21-002-0
DRAWN BY: [Name]
CHECKED BY: [Name]



3 of 13

NOT TO SCALE
SEE ALL SHEETS
FOR DETAILS

Exhibit "B" – Requested Variance



November 29, 2023

Leslie Kimbler
City of Burnet
1001 Buchanan Drive, Suite 4
Burnet, TX 78611

Permit Number 2023-PZ-245
Job Address: 4800 S US 281, Burnet 78611

Dear Leslie Kimbler,

We are writing to request a variance for residential block lengths within Sec. 98-48 (1)(b).-Blocks *Residential blocks shall not exceed 600 feet nor be less than 300 feet in length except as otherwise provided for herein*

We believe there is a hardship due to the development to the west not stubbing roads, a drainage channel to the west, the zoning of the 30 acres +/- in a long linear configuration and the commercial zoning to the east. All of these factors make intermediate blocks very inefficient providing no common benefits of typical blocks.

We have provided a layout with internal "blocks" calming traffic, providing common open spaces, and visual breaks. We are also providing breaks on the east side due to pond locations and utility easements to help with the formation of "blocks".

Please consider this request for unique "blocks" and extending allowable block length to allow for the submitted preliminary plat configuration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Anthony Goode".

Anthony Goode, PE